

Serial No.: 10/759,623

Docket No. 1024.7
Customer No. 53953**REMARKS**

Applicant respectfully requests reconsideration of this application in view of the following remarks. Claims 1, 10 and 14 have been amended. Antecedent basis is located throughout Applicant's specification and the original claims (e.g., FIG. 2, and paragraphs 0029, 0030, 0031 and 0032). Accordingly, no new matter has been entered. Claims 1-7, 9, 10, 12-20 and 22 are pending.

Rejection of the claims

The Office Action rejected claims 1 and 14 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,742,807 ("Masinter").

As amended, claim 1 recites:

1. A method of storing information related to a file, comprising:
 - obtaining content and metadata of the file, wherein the file was stored in a first environment;
 - in a second environment, storing the content and the metadata, wherein the content is associated with the metadata, and wherein the second environment is different from the first environment;
 - obtaining a location where the file was stored in the first environment;
 - in the second environment, storing the location in a location table, wherein the location table includes at least one of the following: a link to the content, indexed in response to the location; and a link to the metadata, indexed in response to the location; and
 - reconstituting at least a piece of the file by accessing at least one of the following in the location table: the link to the content, in response to the location; and the link to the metadata, in response to the location.

As amended, claim 14 recites:

14. A data processing system readable medium having code for storing information related to a file, wherein the code is embodied within the data processing system readable medium, the code comprising instructions for:
 - obtaining content and metadata of the file, wherein the file was stored in a first environment;
 - in a second environment, storing the content and the metadata, wherein the content is associated with the metadata, and wherein the second environment is different from the first environment;
 - obtaining a location where the file was stored in the first environment;
 - in the second environment, storing the location in a location table, wherein the location table includes at least one of the following: a link to the content, indexed in response to the location; and a link to the metadata, indexed in response to the location; and

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reconstituting at least a piece of the file by accessing at least one of the following in the location table: the link to the content, in response to the location; and the link to the metadata, in response to the location.

In MPEP § 2131, the PTO provides that:

"[t]o anticipate a claim, the reference must teach every element of the claim...."

Therefore, to sustain a rejection of claim 1, Masinter must contain all of the above-recited elements in claim 1. However, Masinter fails to teach the combination of elements in claim 1.

For example, Masinter teaches that an *attribute's* hash 22 is the index into a hash-to-location table 20, which then *points to the location 24*. Accordingly, Masinter's system uses the attribute's hash 22 to look-up the location 24. But Masinter fails to teach an *opposite* technique (e.g., fails to look-up the attribute *in response to the location*).

Unlike Masinter, claim 1 requires the following element (which Masinter fails to teach): "in the second environment, storing the location in a location table, wherein the location table includes at least one of the following: a link *to the content, indexed in response to the location*; and a link *to the metadata, indexed in response to the location*."

Also, Masinter likewise fails to teach the following required element of claim 1: "reconstituting at least a piece of the file by accessing at least one of the following in the location table: the link *to the content, in response to the location*; and the link *to the metadata, in response to the location*."

Accordingly, Masinter fails to support a rejection of claim 1 under 35 U.S.C. § 102(b). In relation to claim 14, Masinter is likewise defective in supporting a rejection under 35 U.S.C. § 102(b).

The Office Action rejected claim 10 under 35 U.S.C. § 103(a) as being unpatentable over Masinter in view of U.S. Patent No. 6,928,526 ("Zhu").

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As amended, claim 10 recites:

10. A database for storing components of a file that was stored in a first environment, the database comprising a data processing system readable medium having code embodied within the data processing system readable medium, the code comprising instructions for:

a content hash table in a second environment, wherein an entry in the content hash table includes: content of the file; and at least one link to metadata associated with the content, wherein a digital signature of the content is an index into the content hash table, and wherein the second environment is different from the first environment;

a metadata hash table in the second environment, wherein an entry in the metadata hash table includes: metadata of the file; and at least one link to content associated with the metadata, wherein a digital signature of the metadata is an index into the metadata hash table;

a location hash table in the second environment, wherein an entry in the location hash table includes: a location where the file was stored in the first environment; and at least one of the following: a link to content associated with the location; and a link to metadata associated with the location; wherein a digital signature of the location is an index into the location hash table, wherein the content's digital signature is the link to the content, and wherein the metadata's digital signature is the link to the metadata; and

reconstituting at least a piece of the file by accessing at least one of the following in the location hash table: the link to content associated with the location; and the link to metadata associated with the location.

As stated in MPEP § 2142, "...The examiner bears the initial burden of factually supporting any prima facie conclusion of obviousness. If the examiner does not produce a prima facie case, the applicant is under no obligation to submit evidence of nonobviousness..." Also, MPEP § 2142 states: "...the examiner must step backward in time and into the shoes worn by the hypothetical 'person of ordinary skill in the art' when the invention was unknown and just before it was made...The examiner must put aside knowledge of the applicant's disclosure, refrain from using hindsight, and consider the subject matter claimed 'as a whole.'" Further, MPEP § 2143.01 states: "The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination."

In relation to claim 10, Masinter and Zhu are defective in establishing a prima facie case of obviousness. For example, Masinter and Zhu fail to teach their combination with one another. Moreover, even if Masinter and Zhu were hypothetically combined, they would fail to teach the combination of elements in claim 10. Accordingly, the PTO's burden of factually supporting a prima facie case of obviousness has not been met.

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In relation to claims 1 and 14, Masinter and Zhu are likewise defective in establishing a prima facie case of obviousness.

Thus, a rejection of claims 1, 10 and 14 is not supported.

Conclusion

For these reasons, and for other reasons clearly apparent, Applicant respectfully requests allowance of claims 1, 10 and 14.

Dependent claims 2-7 and 9 depend from and further limit claim 1 and therefore are allowable.

Dependent claims 12 and 13 depend from and further limit claim 10 and therefore are allowable.


Dependent claims 15-20 and 22 depend from and further limit claim 14 and therefore are allowable.

To the extent that this Accompanying Amendment results in additional fees, the Commissioner is authorized to charge deposit account no. 50-3524.


An early formal notice of allowance of claims 1-7, 9, 10, 12-20 and 22 is requested.

Applicant has made an earnest attempt to place this case in condition for allowance. If any unresolved aspect remains, the Examiner is invited to call Applicant's attorney at the telephone number listed below.

Respectfully submitted,


Michael A. Davis, Jr.
Registration No. 35,488

Date: February 18, 2009
Davis Law Group, P.C.
6836 Bee Caves Road
Suite 220
Austin, TX 78746
Telephone 512-306-8324
Facsimile 512-306-8374
Docket Number: 1024.7

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